

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MICHAEL DAVID SWEDLOW,	§
	§ No. 438, 2020
Defendant Below,	§
Appellant,	§
	§ Court Below—Justice of the Peace
v.	§ Court No. 16 of the State of
	§ Delaware in and for Kent County
AMERICAN FINANCE, LLC,	§
	§
Plaintiff Below,	§ C.A. No. JP16-15-007991
Appellee.	§
	§

Submitted: January 12, 2021

Decided: January 14, 2021

Before **SEITZ**, Chief Justice; **VALIHURA** and **MONTGOMERY-REEVES**, Justices.

ORDER

After careful consideration of the notice to show cause and the appellant's response, it appears to the Court that:

(1) On December 22, 2020, the appellant, Michael David Swedlow, filed a notice of appeal from a Justice of the Peace Court order dismissing Swedlow's motion to vacate a default judgment. On December 29, 2020, the Senior Court Clerk issued a notice to Swedlow to show cause why his appeal should not be dismissed for this Court's lack of jurisdiction to consider an appeal from the Justice of the Peace Court.

(2) On January 12, 2021, Swedlow filed a response to the notice to show cause. Swedlow objects to the dismissal of the appeal and contends that this Court does have jurisdiction to consider his appeal.

(3) Notwithstanding Swedlow's contention to the contrary, it is manifest that this Court does not have jurisdiction over this appeal. A decision by a magistrate of the Justice of the Peace Court, whether in a criminal or civil case, is not directly appealable to this Court.¹

NOW, THEREFORE, IT IS HEREBY ORDERED, under Supreme Court Rule 29(b), that the appeal is DISMISSED.

BY THE COURT:

/s/ Collins J. Seitz, Jr.
Chief Justice

¹ *Kostyshyn v. City of Wilmington*, 2006 WL 2771733, at *1 (Del. Sept. 25, 2006) (citing Del. Const., art. IV, § 11).